

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

IMPLICIT, LLC,

Plaintiff,

v.

TREND MICRO, INC.

Defendant.

Case No. 6:16-cv-00080-JRG

**JOINT NOTICE TO THE COURT
REGARDING DISMISSAL WITH PREJUDICE**

Plaintiff Implicit LLC (“Implicit”) and Defendant Trend Micro, Inc. (“Trend Micro”) (collectively, “the parties”) hereby provide notice that, as ordered by the Court [Dkt. No. 262], a final settlement agreement was fully executed by the parties on December 8, 2017.¹ The settlement agreement provides 10 business days for a lump sum payment to be wired, via the Federal Reserve System, and an additional 3 business days from the date payment is received for the parties to dismiss, with prejudice, all claims, with each party to bear its own costs, attorney’s fees, and expenses.

The parties are respectful of the Court’s custom and practice regarding notification of settlement and the filing of dismissal papers and are providing notice to the Court that a joint motion to dismiss will be filed promptly upon confirmation that the wire transfer is complete and that the funds have been received, but in no event will the dismissal be filed later than December 27, 2017.

¹ The parties will promptly submit to the Court under seal the executed settlement agreement upon request.

Dated: December 13, 2017

Respectfully submitted,

/s/ *Melissa R. Smith*

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 13th day of December, 2017.

/s/ *Melissa R. Smith*
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